



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

August 26, 2015

The Honorable John S. McCain
Chairman, Committee on
Armed Services
United States Senate
Washington, DC 20510-0303

Dear Mr. Chairman:

As directed by Senate Report 114-49 accompanying the U.S. Senate's version of the National Defense Authorization Act for Fiscal Year 2016 (S. 1376), enclosed is the "Report to Congress on the Use of the Forensic Experiential Trauma Interview (FETI) technique within the Department of the Navy" prepared by the Naval Criminal Investigative Service (NCIS).

The NCIS began training its agents in the FETI technique in 2012, but discontinued FETI training in 2014 in favor of the Cognitive Interview method, which was selected based on its validity and effectiveness, demonstrated through decades of rigorous, peer-reviewed scientific research studies.

As always, if I can be of any further assistance, please let me know. This report is also being provided to the Chairman of the House Armed Services Committee.

Sincerely,

A handwritten signature in blue ink, which appears to read "Ray Mabus", is written over the word "Sincerely,".

Ray Mabus

Copy to:
The Honorable Jack Reed
Ranking Member



THE SECRETARY OF THE NAVY
WASHINGTON DC 20350-1000

August 26, 2015

The Honorable William M. "Mac" Thornberry
Chairman, Committee on
Armed Services
House of Representatives
Washington, DC 20515-0303

Dear Mr. Chairman:

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Sincerely,

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Ray Mabus

Copy to:
The Honorable Adam Smith
Ranking Member

REPORT TO CONGRESS

ON THE USE OF

THE FORENSIC EXPERIENTIAL TRAUMA INTERVIEW (FETI) TECHNIQUE

WITHIN THE DEPARTMENT OF NAVY

Prepared by:

The Naval Criminal Investigative Service Headquarters

Quantico, VA

July 2015

The estimated cost of this report or study for the Department of Defense is approximately \$1,563.00 for the 2015 Fiscal Year. This includes \$00.00 in expenses and \$1,563.00 in DoD labor.

REPORT REQUIREMENT

The U.S. Senate Report 114-49 accompanying the Senate's version of the National Defense Authorization Act for Fiscal Year 2016 on page 132 specifically directs:

...the service secretaries [in light of the demonstrated value of the Forensic Experiential Trauma Interview (FETI) technique] to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than August 31, 2015, that describes how widely FETI training has been provided to criminal investigators and judge advocates of that Service and plans for future training. If any service is not utilizing FETI training, the report should include an explanation of the Service's decision to not employ FETI and a description of the alternative training and techniques used by that Service.

PROGRAM DESCRIPTION

From 2012 to 2014, the Naval Criminal Investigative Service (NCIS) trained 218 investigators in the use of the Forensic Experiential Trauma Interview or FETI method during the agency's Advanced Sexual Assault Investigations Training Course. Starting in 2014, however, NCIS stopped training investigators in the FETI technique and started training them in the Cognitive Interview (CI) method developed by Drs. (b) (6) and (b) (6). As of this date, NCIS has trained 170 investigators and 33 U.S. Navy and U.S. Marine Corps Judge Advocates in the CI method.

Although the FETI and CI methods are similar in certain respects, NCIS selected the CI technique as the method of choice to interview sexual assault victims based on its validity and effectiveness which has been backed up by decades of rigorous, peer-reviewed scientific research studies (ref. (b) (6))¹, and the CI method's practical application within the context of criminal investigations. One of NCIS' military law enforcement counterparts, The Air Force Office of Special Investigations, has also decided to train their agents in the CI method.

NCIS always seeks the well-being of witnesses and victims during the interview process. The CI method, which is centered on and controlled by the witness/victim, accomplishes this. The CI method, based on scientific knowledge of the complex mechanism of memory and interviewing strategies, is used to assist a victim in recalling details of the incident while providing a non-threatening, supportive environment to reduce a victim's stress and anxiety associated with the experienced event and investigative processes. Specifically, investigators trained in the CI method advise the

¹(b) (6) (2010). The cognitive interview: A meta-analytic review and study space analysis of the past 25 years. *Psychology, Public Policy, and Law*, 16, 340-372.

victim that he/she, “plays a central role in the interview” and the victim will “take an active part” in disclosing the information, which will facilitate the investigative process (ref. (b) (6) 1992, p. 19)². The investigator uses open-ended, non-suggestive questions and memory retrieval techniques to help a victim retrieve detailed facts of the incident. The questions and techniques are designed to avoid contaminating memory recalled by the victim and to obtain the greatest quantity and quality of information. The CI interview gives the investigator flexibility to navigate and guide the victim in memory recall at the victim’s pace.

NCIS is responsible for selecting an appropriate, empirically-validated interviewing method that can ensure a comprehensive victim interview and withstand admissibility challenges during legal proceedings. To date, the FETI technique, taught by the Army Military Police School, has not been empirically validated as an effective and reliable interview technique for trauma victims. Accordingly, uncertainty remains as to the reliability of information obtained by use of that method. Moreover, the lack of empirical support for the technique leaves it vulnerable to challenge in court. Although advocates of the technique offer anecdotal references in support of its efficacy, NCIS believes the more prudent course is to adopt a technique that is scientifically proven. Based on these concerns, NCIS considers the CI as the most appropriate method for interviewing victims.

²(b) (6) (1992). *Memory-enhancing techniques for investigative interviewing: The cognitive interview*. Springfield, IL: (b) (6)